

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

RICKY JAMES and ARDERS)
MATTHEWS,)
Plaintiffs,) Case No. 06 C 912
v.) Judge Pallmeyer
P.O. WATTS #15226 and P.O. ZELIG) Magistrate Judge Ashman
#5443, individually,) Jury Demand
Defendants.)

SECOND AMENDED COMPLAINT FOR FALSE ARREST

NOW COME the Plaintiffs, RICKY JAMES and ARDERS MATTHEWS, by and through their attorneys, GREGORY E. KULIS AND ASSOCIATES, complaining against the Defendants, P.O. WATTS #15226 and P.O. ZELIG #5443, individually, as follows.

- 1) This action is brought pursuant to the Laws of the United States Constitution, specifically, 42 U.S.C. §1983 and §1988, and the laws of the State of Illinois, to redress deprivations of the Civil Rights of the Plaintiffs, and accomplished by acts and/or omissions of the Defendants committed under color of law.
- 2) Jurisdiction is based on Title 28 U.S.C. §1343 and §1331 and supplemental Jurisdiction of the State of Illinois.
- 3) The Plaintiffs, RICKY JAMES and ARDERS MATTHEWS, were United States citizens and permanent residents of the State of Illinois.
- 4) The Defendants, P.O. WATTS and P.O. ZELIG, were at all relevant times duly appointed police officers of the City of Chicago and at all relevant times were acting within their scope of employment and under color of law.
- 5) On September 2, 2005, the Plaintiff were driving their cars in the vicinity of Washington and Leamington in Chicago.

- 6) The Plaintiffs were not committing any crime or breaking any laws.
- 7) P.O. WATTS and P.O. ZELIG approached each Plaintiff in their vehicle and accused each of them of buying drugs.
- 8) The Plaintiffs were not breaking any laws or committing any crimes.
- 9) There was no probable cause to stop the Plaintiffs.
- 10) Defendant P.O. WATTS and Defendant P.O. ZELIG arrested the Plaintiffs and placed false criminal drug charges against each of them.
- 11) Defendant P.O. WATTS and P.O. ZELIG did not witness either of the Plaintiffs committing any crime.
- 12) The Plaintiffs did not commit any crime.
- 13) Defendant P.O. WATTS and Defendant P.O. ZELIG did not have probable cause to arrest the Plaintiffs.
- 14) Defendant P.O. WATTS and Defendant P.O. ZELIG did not have probable cause to charge the Plaintiffs.
- 15) Said actions of the Defendants, P.O. WATTS and P.O. ZELIG, were intentional, willful and wanton.
- 16) Said actions of the Defendants violated the Plaintiffs' Fourth and Fourteenth Amendment Rights of the United States Constitution and were in violation of said rights protected by 42 U.S.C. §1983.
- 17) As a direct and proximate consequence of said conduct of the Defendants, P.O. WATTS and P.O. ZELIG, the Plaintiffs, RICKY JAMES and ARDERS MATTHEWS, suffered violations of their constitutional rights, emotional anxiety, fear, pain and suffering and monetary loss and expense.

WHEREFORE, the Plaintiffs, RICKY JAMES and ARDERS MATTHEWS, pray for

judgment against the Defendants, P.O. WATTS and P.O. ZELIG, jointly and severally in an amount in excess of TWENTY FIVE THOUSAND AND 00/100 (\$25,000.00) DOLLARS in compensatory damages and TEN THOUSAND AND 00/100 (\$10,000.00) DOLLARS punitive damages, plus attorney's fees and costs.

JURY DEMAND

The Plaintiffs, RICKY JAMES and ARDERS MATTHEWS, requests a trial by jury.

Respectfully submitted,

s/ SHEHNAZ I. MANSURI

Shehnaz I. Mansuri

GREGORY E. KULIS AND ASSOCIATES

GREGORY E. KULIS AND ASSOCIATES
30 North LaSalle Street, Suite 2140
Chicago, Illinois 60602
(312) 580-1830